



(Modified) PTO/SB/26 (10-96)
Approved for use through 10/31/99. OMB 0551-0031

TERMINAL DISCLAIMER TO OBLIVIATE A DOUBLE PATENTING REJECTION OVER A PRIOR PATENT		Docket Number (Optional) 54-000711US
<p>In re Application of: Lital Alfona et al. Application No. 10/575,991 Filed: April 13, 2006 For: SITE-SPECIFIC INCORPORATION OF REDOX ACTIVE AMINO ACIDS INTO PROTEINS</p> <p>The owner*, The Scripps Research Institute of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156, as now shortened by any terminal disclaimer, of prior Patent No. 7,494,796. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.</p> <p>In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.</p> <p>Check either box 1 or 2 below, if appropriate</p> <p>1. <input checked="" type="checkbox"/> For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.</p> <p>I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.</p> <p>2. <input type="checkbox"/> The undersigned is an attorney of record.</p> <p> Signature 06/16/2010 Date</p> <p>Thomas Fitting, Chief Patent Counsel Typed or printed name</p> <p><input checked="" type="checkbox"/> Terminal disclaimer fee under 37 CFR 1.20(d) is included.</p> <p>*Certification under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner). Form PTO/SB/96 may be used for making this certification. See MPEP §324.</p>		

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STATEMENT UNDER 37 CFR 3.73(b)

Applicant: **Lital Alfonta, et al.**

Application No.: **10/575,991** Filed: **April 13, 2006**

Entitled: **SITE-SPECIFIC INCORPORATION OF REDOX ACTIVE AMINO ACIDS INTO PROTEINS**

The Scripps Research Institute, a **corporation**

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. the assignee of the entire right, title, and interest; or
2. an assignee of an undivided part interest

in the patent application identified above by virtue of either:

A. [X] An assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel __, Frame __, or for which a copy thereof is attached.

OR

B. [] A chain of title from the inventor(s), of the patent application identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at Reel __, Frame __, or for which a copy thereof is attached.
2. From: _____ To: _____
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[] Additional documents in the chain of title are listed on a supplemental sheet

[X] Copies of assignments or other documents in the chain of title are attached.

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

June 16, 2010

Date

Signature

Thomas Fitting

Typed or printed name

Chief Patent Counsel

Title